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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/091,266	03/05/2002	Gael Mace	PF010020	6430

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EXAMINER

NGUYEN, CINDY

ART UNIT	PAPER NUMBER
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2161

DATE MAILED: 12/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/091,266

**Applicant(s)**

MACE ET AL.

**Examiner**

Cindy Nguyen

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 05 March 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 March 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>03/05/02</u> . | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

This is in response to application filed on 03/05/02 in which claims 1-6 are presented for examination.

#### **Information Disclosure Statement**

The information disclosure statement filed on 03/05/02 is in compliance with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609. Because it has been placed in the application file, and the information referred to therein has been considered as to the merits.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-3 are rejected under 35 U.S.C. 102(e) as being anticipated by Kutsuna et al. (US 6684110).

Regarding claim 1, Kutsuna disclose: Method for handling isochronous files in a HAVi network, comprising the steps of:

- opening a connection between a client device and a source device (2002, fig. 6 and corresponding text, Kutsuna);

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- specifying a file to be transferred in isochronous manner over the connection (col. 9, lines 26-33, Kutsuna);

- specifying a starting point (GUI-update Start command), within said file, and from which the transfer is to be carried out (col. 9, lines 26-33, Kutsuna);

- initiating the file transfer from the starting point (col. 20, lines 30-63, Kutsuna).

Regarding claim 2, all the limitations of this claim have been noted in the rejection of claim 1. In addition, Kutsuna discloses: further comprising the step of providing, to a client application (col. 21, lines 12-20, Kutsuna), a file manager (IRM) functional component module for managing a file system of isochronous files and asynchronous files on recording media, wherein said file manager functional component module provides an application programmable interface for access by said client application (col. 21, lines 12-28, and col. 23, lines 53-61, Kutsuna).

Regarding claim 3, all the limitations of this claim have been noted in the rejection of claim 2. In addition, Kutsuna discloses: wherein the application programmable interface comprises : methods for acting upon isochronous connections and files (col. 20, lines 54-56, Kutsuna); methods for acting upon asynchronous connections and files (col. 20, lines 50-53, Kutsuna); file type independent methods for acting upon both asynchronous and isochronous files (col. 20, lines 56-63, Kutsuna).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kutsuna et al. (US 6684110) in view of Katz et al. (US 6356971) (Katz).

Regarding claim 4, all the limitations of this claim have been noted in the rejection of claim 3 above. However, Kutsuna didn't disclose: wherein the application programmable interface further comprises methods for acting upon directories of both asynchronous and isochronous files. On the other hand, Katz discloses: wherein the application programmable interface further comprises methods for acting upon directories of both asynchronous and isochronous files (col. 6, lines 41-45, Katz). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include methods for acting upon directories of both asynchronous and isochronous files in the system of Kutsuna as taught by Katz. The motivation being to enable the user to organize the collections of specific multimedia files in a network directory.

Regarding claim 5, all the limitations of this claim have been noted in the rejection of claim 2. In addition, Kutsuna/Katz discloses: wherein the file manager functional component module establishes, using its local registry service (col. 22, lines 53-60, Kutsuna), a global directory comprising directories of all file manager functional component module compatible devices (420, fig. 4A\_D, Katz).

Regarding claim 3, all the limitations of this claim have been noted in the rejection of claim 2. In addition, Kutsuna discloses: further comprising the step of including directories of devices managed by an AVDisc functional component module in the global directory (3 ½ floppy A, quantum C, driver D, E, ... etc. fig. 4B, Katz).

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***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cindy Nguyen whose telephone number is 571-272-4025. The examiner can normally be reached on M-F: 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 571-272-4023. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications and 703-872-9306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.



Cindy Nguyen  
November 12, 2004



SAFET METJAHIC  
ASSISTANT PATENT EXAMINER  
BIOLOGY CENTER 2100